



20607-906873

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE THE APPLICATION OF

Eleanor Schuler et al.

SERIAL NO.: 10/000,005

FILED: November 20, 2001

FOR: Method to Record, Store and Broadcast
Specific Brain Waveforms to Modulate
Body Organ Functioning

) Examiner: Charles Alan Marmor

) Group Art Unit No. 3736

) Customer number: 23644

RECEIVED

JUL 19 2004

TECHNOLOGY CENTER 3700

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450," on July 12, 2004.
Name of person signing Jennifer J. Ramirez
Signature _____

SECOND REQUEST TO RESCIND NOTICE OF ABANDONMENT

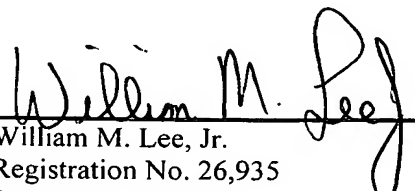
Honorable Director of Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Attached is a copy of a first Request received by the Patent and Trademark Office on March 5, 2004 concerning the improper abandonment of this application. To date, nothing further has been received from the Patent and Trademark Office. It is requested that the Patent and Trademark Office revive the application without further delay, and advise the undersigned of the status of the application.

July 9, 2004

Respectfully submitted,


William M. Lee, Jr.
Registration No. 26,935
Barnes & Thornburg
P.O. Box 2786
Chicago, Illinois 60690-2786
(312) 214-4800
(312) 759-5646 (fax)



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I hereby certify that this correspondence is being deposited
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envelope addressed to "Commissioner for Patents, P.O. Box
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Name of person signing Jennifer J. Ramirez
Signature _____

REQUEST TO RESCIND NOTICE OF ABANDONMENT

Honorable Director of Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

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Dear Sir:

A Notice of Abandonment dated February 11, 2004 has been received regarding this application. Because the Notice of Abandonment is a clear error of the Patent and Trademark Office, retraction of the notice is requested.

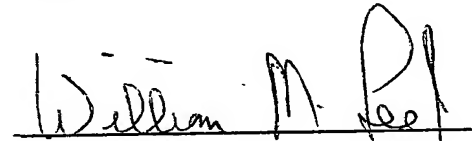
In response to the office action of February 28, 2003, on May 28, 2003, the undersigned mailed to the Patent and Trademark Office an appropriate response which was received by the Patent and Trademark Office on June 2, 2003. Appended hereto are copies of the papers mailed on May 28, 2003 as well a copy of the postcard receipt of the firm of the undersigned which has been returned by the Patent and Trademark Office, showing the June 2, 2003 receipt.

When examiner Marmor had apparently not received the office action, on October 6, 2003, the undersigned had the same papers faxed to examiner Marmor, and those papers were received on that date. Appended hereto is a copy of a fax transmission receipt in that regard.

It is clear that the Patent and Trademark Office has not only received a proper response, but has received that response twice. There is no reason why this application should have been abandoned other than a Patent and Trademark Office error, and it is therefore requested that the Patent and Trademark Office return the application to pending status and not further delay the handling of the application.

March 2, 2004

Respectfully submitted,

A handwritten signature in black ink, appearing to read "William M. Lee, Jr.", written over a horizontal line.

William M. Lee, Jr.
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